REMARKS/ARGUMENTS

In the Office Action mailed January 23, 2009 (hereinafter, "Office Action"), claims 1-15 were rejected under 35 U.S.C. § 103(a). By this paper, claims 1, 8, 10-11, 13, and 15 are being amended. New claims 16-19 are being added.

Applicants respectfully respond to the Office Action.

I.   Claims 1-15 Rejected Under 35 U.S.C. § 103(a)

Claims 1-15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,623,604 to Russell et al. (hereinafter, "Russell") in view of U.S. Patent No. 6,708,045 to Lieu et al. (hereinafter, "Lieu") in further view of U.S. Patent No. 6,074,434 to Cole et al. (hereinafter, "Cole"). Applicants respectfully request reconsideration in view of the above claim amendments and the following remarks.

The factual inquiries that are relevant in the determination of obviousness are determining the scope and contents of the prior art, ascertaining the differences between the prior art and the claims in issue, resolving the level of ordinary skill in the art, and evaluating evidence of secondary consideration. KSR Int'l Co. v. Teleflex Inc., 550 U.S. 398, 2007 U.S. LEXIS 4745, at **4-5 (2007) (citing Graham v. John Deere Co. of Kansas City, 383 U.S. 1, 17-18 (1966)). As the Board of Patent Appeals and Interferences has recently confirmed, "obviousness requires a suggestion of all limitations in a claim." In re Wada and Murphy, Appeal 2007-3733 (citing CFMT, Inc. v. Yieldup Intern. Corp., 349 F.3d 1333, 1342 (Fed. Cir. 2003)).

Claim 1 relates generally to a "communications adapter for facilitating electronic communications with an electronic device wherein the adapter is remotely reprogrammable by a provider computer through a wireless network." Claim 1 previously stated that the adapter comprises "memory programmed to cause the adapter to ... send an identification of the adapter to the provider computer." By this paper, claim 1 is being amended to state that "the adapter sends the identification of the adapter to the provider computer without being requested to do so by the provider computer." This amendment is supported by at least page 8, lines 17-18 of Applicants'

specification, and Figure 5, element 88 of Applicants' drawings.

Applicants respectfully submit that none of the cited references teach or suggest an adapter that "sends the identification of the adapter to the provider computer without being requested to do so by the provider computer," as required by amended claim 1.

The Office Action asserts that Russell teaches an adapter that "send[s] an identification of the adapter to the provider computer." (Office Action, page 3.) Even assuming for the sake of argument that this assertion is correct, Russell does not teach or suggest that the adapter "sends the identification of the adapter to the provider computer without being requested to do so by the provider computer," as required by amended claim 1.

Russell states: "At each of the NEB boards, CPSOCKET _responds_ with server type, server name and a unique socket number by which each NEB can be accessed directly, and an indication of whether or not the NEB requires configuration." (Russell, col. 33, lines 34-37; emphasis added.) Even assuming for the sake of argument that this teaches "the adapter send[ing] the identification of the adapter to the provider computer," it certainly does not teach or suggest that the adapter "sends the identification of the adapter to the provider computer without being requested to do so by the provider computer," as required by amended claim 1. Rather, Russell indicates that the NEB boards _respond_ to requests for identification.

Russell also states: "Like CPINIT, CPCONSOL first broadcasts on the LAN to request identification of all NEB devices attached to the LAN (Step SI501). At the NEB's [sic], CPSOCKET _responds_ with the unique network ID's [sic] and the communication socket numbers assigned to the NEB (Step SI502)." (Russell, col. 35, lines 5-10; emphasis added.) Even assuming for the sake of argument that this teaches "the adapter send[ing] the identification of the adapter to the provider computer," it certainly does not teach or suggest that the adapter "sends the identification of the adapter to the provider computer without being requested to do so by the provider computer," as required by amended claim 1. Rather, Russell indicates that the NEB boards _respond_ to requests for identification.

The Office Action does not assert that either Lieu or Cole teaches or suggests an adapter that

"send[s] an identification of the adapter to the provider computer," as required by claim 1. Therefore, Lieu and Cole also do not teach or suggest that the adapter "sends the identification of the adapter to the provider computer without being requested to do so by the provider computer," as required by amended claim 1.

Accordingly, none of the cited references teach or suggest an adapter that "sends the identification of the adapter to the provider computer without being requested to do so by the provider computer," as required by amended claim 1.

For at least the foregoing reasons, Applicants respectfully submit that claim 1 is allowable. Claims 2-7 depend from claim 1, and are therefore allowable for at least the same reasons.

Claim 8 has been amended similarly to claim 1. In particular, claim 8 has been amended to state that "the adapter sends the identification of the adapter to the provider computer without being requested to do so by the provider computer." As discussed above, none of the cited references teach or suggest this subject matter. Accordingly, Applicants respectfully submit that claim 8 is allowable. Claims 9-12 depend from claim 8, and are therefore allowable for at least the same reasons.

Claim 10 has been amended to recite that "the object representation of the electronic device comprises services that reflect at least one of functions, variables, and events on the electronic device." This amendment is supported by at least page 7, lines 23-29 of Applicants' specification. Applicants respectfully submit that the cited references do not teach or suggest the subject matter of amended claim 10.

Claim 11 has been amended to recite that "the functional representation of the electronic device comprises functions that provide access to at least one of functions, variables, and events on the electronic device." This amendment is supported by at least page 7, line 30 - page 8, line 10 of Applicants' specification. Applicants respectfully submit that the cited references do not teach or suggest the subject matter of amended claim 11.

Claim 13 has been amended similarly to claim 1. In particular, claim 13 has been amended to state that "the adapter sends the identification of the adapter to the provider computer without being requested to do so by the provider computer." As discussed above, none of the cited references teach

or suggest this subject matter. Accordingly, Applicants respectfully submit that claim 13 is allowable. Claim 14 depends from claim 13, and is therefore allowable for at least the same reasons.

Claim 15 has been amended similarly to claim 1. In particular, claim 15 has been amended to state that "the adapter sends the identification of the adapter to the provider computer without being requested to do so by the provider computer." As discussed above, none of the cited references teach or suggest this subject matter. Accordingly, Applicants respectfully submit that claim 15 is allowable.

II.   New Claims

New claim 16 has been added. New claim 16 states that "the adapter is unable to communicate with the electronic device without the new data sent by the provider computer." New claim 16 is supported by at least page 8, lines 24-26 of Applicants' specification. Applicants respectfully submit that the cited references do not teach or suggest the subject matter of new claim 16.

New claim 17 has also been added. New claim 17 states that "the memory comprises flash memory," and that "updating the program of the adapter comprises reprogramming the flash memory." New claim 17 is supported by at least page 10, lines 20-21 of Applicants' specification. Applicants respectfully submit that the cited references do not teach or suggest the subject matter of new claim 17.

New claim 18 has also been added. New claim 18 states that "the communications adapter is reprogrammable for use with different types of electronic devices." For example, the communications adapter may be programmed for use with a printer. Subsequently, the communications adapter may be reprogrammed for use with a vending machine. New claim 18 is supported by at least page 5, lines 24-29, page 6, lines 14-15 and page 6, line 30 - page 7, line 1 of Applicants' specification. Applicants respectfully submit that the cited references do not teach or suggest the subject matter of new claim 18.

New claim 19 has also been added. New claim 19 states that "the new data comprises a translator," and also that "the translator is configured to send commands to the electronic device, access data on the electronic device, receive commands from the electronic device, control the electronic device, and translate messages to and from the electronic device." New claim 19 is supported by at least page 7, lines 3-8 of Applicants' specification. Applicants respectfully submit that the cited references do not teach or suggest the subject matter of new claim 19.
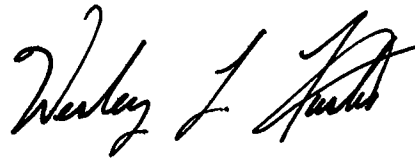
New claim 20 has also been added. New claim 20 states that "the translator is associated with the electronic device," and also that "the provider computer selects the translator from among multiple translators in a translator database," and also that "the translator database comprises other translators that are not associated with the electronic device." New claim 20 is supported by at least page 7, lines 15-17 of Applicants' specification and Applicants' Figure 2. Applicants respectfully submit that the cited references do not teach or suggest the subject matter of new claim 20.

III. Conclusion

  Applicants respectfully assert that all pending claims are patentably distinct from the cited references, and request that a timely Notice of Allowance be issued in this case. If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

           Respectfully submitted,

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